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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,764	02/11/2002	Mark N. Robins	10018038-1	4506

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EXAMINER
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NGUYEN, LUONG TRUNG

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/073,764	Applicant(s) ROBINS ET AL.	
	Examiner LUONG T. NGUYEN	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>02/11/02</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1-9, 15, 17 are objected to because of the following informalities:

Claim 1 (line 7), “communication device” should be changed to --communications device--.

Claim 6 (lines 5-6), “an enable state variable” should be changed to --the enable state variable--.

Claim 9 (line 3), “a disable state” should be changed to --the disable state--.

Claim 15 (line 1), claim 16 (line 1), claim 23 (line 1), claim 24 (line 1),  
“said enable/disable command” should be changed to --an enable/disable command--.

Claim 17 (line 5), “state” should be changed to --state--.

Claims 2-9 are object as being dependent on claim 1.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7, 9-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Steinberg

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et al. (US 6,433,818).

Regarding claim 1, Steinberg et al. discloses an image capturing device, comprising:

a memory (Smart card for storing user access password, figure 4, column 4, lines 32-44)

storing an enable state variable and a set of enable commands;

a communications device (card slot 16, figure 2, column 3, lines 50-67) capable of receiving an enable command and a disable command;

a processor (processor 32, figures 2, 5, column 3, lines 50-67, column 4, line 45 – column 5, line 11) communicating with said memory and with said communications device, with said processor receiving an enable/disable communication from said communications device, interpreting said enable/disable communication using said set of enable commands, and setting set enable state variable in response;

wherein said capturing device is disabled for image capturing device operations when said enable state variable is set to disable state and is enabled when said enable state variable is set to an enable state (column 4, line 45 – column 5, line 11).

Regarding claim 2, Steinberg et al. discloses an input/output port capable of communicating with an external device (bus 34, 26, 38, figure 2, column 3, lines 50-67).

Regarding claims 3, 13, 21, Steinberg et al. discloses a wireless receiver (receiver 30, figure 2, column 3, lines 50-60).

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Regarding claims 4, 14, 22, Steinberg et al. discloses a removable media interface (card slot 16, figure 2) and a removable medium (Smart Card, column 4, lines 33-44) plugged into said removable media interface.

Regarding claim 5, Steinberg et al. discloses a removable memory medium (Smart Card, column 4, lines 33-44).

Regarding claim 6, Steinberg et al. discloses a removable memory medium (Smart Card, column 4, lines 33-44).

Regarding claim 7, Steinberg et al. discloses storing an image capturing device identifier (renewal code for continuing camera operation, column 3, lines 40-48), wherein said removable memory medium does not enable said capturing device unless said image capturing device identifier corresponds to said image capturing device.

Regarding claim 9, Steinberg et al. discloses a temporary enable state variable that overrides said enable state variable when said temporary enable state variable is set to the disable state (column 4, line 45 – column 5, line 11).

Claims 10-12 are method claims of apparatus claims 1-2. Therefore, claims 10-12 are rejected for the reason given in claims 1-2.

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Regarding claims 15, 23, Steinberg et al. discloses wherein an enable/disable command is received from a rental entity (camera rental situation, column 4, lines 9-33).

Regarding claims 16, 24, Steinberg et al. discloses wherein an enable/disable command is received from a fixed wireless transmitter that temporarily disables said image capturing device when said image capturing device is in range of said fixed wireless transmitter (camera is in operable if it is removed from an authorized zone of operation, column 4, line 45 – column 5, line 11).

Regarding claim 17, Steinberg et al. discloses checking a temporary state variable to see if said image capturing device is temporarily disabled, wherein image capturing operations are performed if said enable state variable is set to an enable state and if said temporary enable variable is set to an enable state (column 4, line 45 – column 5, line 11).

Claims 18-20 are method claims of apparatus claims 1-2. Therefore, claims 18-20 are rejected for the reason given in claims 1-2.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Steinberg et al. (US 6,433,818) in view of Limsico (US 6,662,228).

Regarding claim 8, Steinberg et al. fails to specifically disclose a dongle, with said dongle including circuitry that enables said image capturing device. However, the use of a dongle is well known in the art as taught by Limsico (column 3, lines 1-9). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Steinberg et al. by the teaching of Limsico in order to secure a device from unauthorized access.

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hunter (US 6,738,572) discloses function disabling system for a camera used in a restricted area.

Sato (US 2001/0017652) discloses photo service system and digital camera.

Ichikawa (US 2001/0041987) discloses rental system machine and method for providing rental items.

Watanabe et al. (US 2002/0039479) discloses recording apparatus, communications apparatus, recording system, communications system, and method therefore.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID L. OMETZ can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN  
3/16/06



**LUONG T. NGUYEN**  
**PATENT EXAMINER**